# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/724,658 | 11/28/2000 | Matt Crosby | DIGIP016 | 7713 |

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|---|---|---|
| 22434 | 7590 | 11/25/2003 |

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| ART UNIT | PAPER NUMBER |
|---|---|
| 2672 | |

DATE MAILED: 11/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _10/14/2003_ .

2a)☒ This action is **FINAL.**    2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1-35_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-35_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

## DETAILED ACTION

### Response to Amendment

The amendments filed on 10/14/2003 have been entered. Claims 1, 3, 4 5, 7, 16, 18, 19, 20, 22

have been amended. Claims 28-35 have been newly added.

### *Claim Rejections - 35 USC § 103*

1.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.      Claims 1-10, 13-15, 16-25 and 28-35 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Yokomizo U.S. Patent No. 6,522,418 (hereinafter Yokomizo).

3.      Claim 1:

Yokomizo teaches a method of processing an image object included in an associated

image object file at the first node so as to provide on-demand rasterization appropriate for the

second output device (column 11, lines 5-20), in a distributed system having a first node coupled

to a first output device and a second node coupled to a second output device (figure 9),

comprising:

Forwarding the image object and the associated state information file to the second node

(e.g., column 10, lines 15-60; column 13, lines 20-28; column 16, lines 58-67; column 19, lines 1-

10);

Appropriately rasterizing the image object based upon the second output device as needed (figure 9; column 11, lines 5-20); and

Outputting the appropriately rasterized image object at the second output device (column 6, lines 3-14; column 7, lines 40-55; column 11, lines 5-20).

(2) However, it is not clear whether Yokomizo fully discloses the claim limitation of "Associating a state information file to the image object whereby the state information file comprises an edit list having an embedded edit list and an external edit list wherein the external edit list comprises links to a plurality of multimedia assets that may be embedded in the resulting image object."

(3) Nevertheless, Yokomizo discloses associating a state information file (in the form of the script file for the editorial results; column 12, lines 50-67; OR the script file written in the page description language, column 21, lines 5-10; OR the script file written in Java applet; column 15, lines 10-15) to the image object (column 5, lines 45-67; column 6, lines 1-15; column 10, lines 15-60; column 21, lines 5-30) whereby the state information file comprises an edit list (such as the editorial information) having an embedded edit list (Java applet listing the image files and templates residing on the client's end) and an external edit list wherein the external edit list comprises links (proxy editorial software written in a Java applet generates editorial information that is used to download the image files and templates from the server's end through the CGI interface) to a plurality of multimedia assets (image files and templates on the server's end) that may be embedded in the resulting image object (Yokomizo also teaches the proxy editorial plug-in device of the client's end. The proxy editorial software performs functions such as the

automatic generation of homepage, downloading of image files and templates from the server's

end as requested by the client and access to the database for information from the server's end

through the CGI program; e.g., column 14, lines 36-67; column 15, lines 1-23).

(4) It would have been obvious to one of ordinary skill in the art to have incorporated the

a variety of edit lists into Yokomizo's method because Yokomizo teaches script files in the form

of page description language or Java applets comprising a variety of edit lists linking to the

image files and templates on both the client's end and server's end. Yokomizo further teaches

using Java applets for downloading the image files and template on the server's end if necessary

by calling the CGI interface from the client's computer (e.g., column 14, lines 36-67; column 15,

lines 1-23) and the claimed limitation suggests an obvious modification of Yokomizo.

(5) One having the ordinary skill in the art would have been motivated to do this because

it would have provided a state information file in the form of a variety of simple edit lists for

modifying the (high-resolution/low-resolution) input images.


Claim 2:

The claim 2 encompasses the same scope of invention as that of claim 1 except additional

claimed limitation of the state information file including an edit list and the image object file

including a digital negative associated with the image object. However, Yokomizo further

discloses the claimed limitation of the state information file including an edit list (column 10, lines

15-61) and the image object file including a digital negative associated with the image object

(column 4, lines 30-50).

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of the appropriately rasterized image object being a composite image. However, Yokomizo further discloses the claimed limitation of the appropriately rasterized image object being a composite image (e.g., column 21, lines 5-67; column 22, lines 1-49).

Claim 4:

The claim 4 encompasses the same scope of invention as that of claim 3 except additional claimed limitation of determining whether the embedded edit list being populated with an at least one embedded edit list element and retrieving the at least one embedded edit list element included in the embedded edit list and retrieving the digital negative if it is determined that the edit list is populated with the at least one embedded edit list element. However, Yokomizo further discloses the claimed limitation of determining whether the embedded edit list being populated with an at least one embedded edit list element (e.g., the editorial scripts or software determines editorial list including the image files and templates to be retrieved from the client's end) and retrieving the at least one embedded edit list element included in the embedded edit list and retrieving the digital negative if it is determined that the edit list is populated with the at least one embedded edit list element (e.g., column 4, lines 30-50; column 9, lines 30-60; column 11, lines 5-15; column 14, lines 36-67; column 15, lines 1-23; column 16, lines 58-67; column 18, lines 60-67).

Claim 5:

The claim 5 encompasses the same scope of invention as that of claim 3 except additional claimed limitation of determining whether the external edit list being populated with an at least one external edit list element and locating the external edit list based upon an external edit list pointer and retrieving the at least one external edit list element included in the external edit list if

it is determined that the edit list is populated with the at least one external edit list element. However, Yokomizo further discloses the claimed limitation of determining whether the external edit list being populated with an at least one external edit list element and locating the external edit list based upon an external edit list pointer (e.g., the Java applets or Dynamic Link Library inherently associates a link to the image files and templates on the server's end for retrieval of the files on the other computer, see also column 17, lines 20-26) and retrieving the at least one external edit list element included in the external edit list if it is determined that the edit list is populated with the at least one external edit list element (e.g., the editorial scripts or software determines editorial list including the image files and templates to be retrieved from the server's end; column 4, lines 30-50; column 9, lines 30-60; column 11, lines 5-15; column 14, lines 36-67; column 15, lines 1-23; column 16, lines 58-67; column 18, lines 60-67).

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 4 except additional claimed limitation that rasterizing comprises determining a resolution appropriate to the second output device based upon the retrieved edit list element and outputting the rasterized digital image.

However, Yokomizo further discloses the claimed limitation that rasterizing comprises determining a resolution appropriate to the second output device based upon the retrieved edit list element and outputting the rasterized digital image (e.g., column 20, lines 3-63; column 22, lines 30-50).

Claim 7:

The claim 7 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that rasterizing comprises determining a resolution appropriate to the second output device based upon the retrieved external edit list element and outputting the rasterized digital image.

However, Yokomizo further discloses the claimed limitation that rasterizing comprises determining a resolution appropriate to the second output device based upon the retrieved external edit list element and outputting the rasterized digital image (e.g., column 20, lines 3-63; column 22, lines 30-50).

Claim 8:

The claim 8 encompasses the same scope of invention as that of claim 4 except additional claimed limitation of the image object including a plurality of digital negatives.

However, Yokomizo further discloses the claimed limitation of the image object including a plurality of digital negatives (column 4, lines 30-50).

Claim 9:

The claim 9 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the image object file including a high-resolution image and the digital image being re-rasterized to form a lower resolution image as required by the second output device.

However, Yokomizo further discloses the claimed limitation of the image object file including a high resolution image and the digital image being re-rasterized to form a lower resolution image as required by the second output device (figure 9; column 11, lines 7-21).

Claim 10:

The claim 10 encompasses the same scope of invention as that of claim 9 except

additional claimed limitation of the edit list including instructions describing how the digital

image is to be re-rasterized.

However, Yokomizo further discloses the claimed limitation of the edit list including

instructions describing how the digital image is to be re-rasterized (figure 9; column 11, lines 7-

21).

Claim 13:

The claim 13 encompasses the same scope of invention as that of claim 1 except

additional claimed limitation of the first output device being selected from a group comprising: a

printer, a digital video camera, a digital still camera, a TV monitor, a low resolution LCD screen,

TV.

However, Yokomizo further discloses the claimed limitation of the first output device

being selected from a group comprising: a printer, a digital video camera, a digital still camera, a

TV monitor, a low resolution LCD screen, TV (column 19, lines 1-8).

Claim 14:

The claim 14 encompasses the same scope of invention as that of claim 1 except

additional claimed limitation of the second output device being selected from a group comprising:

a printer, a digital video camera, a digital still camera, a TV monitor, a low resolution LCD

screen, TV.

However, Yokomizo further discloses the claimed limitation of the second output device

being selected from a group comprising: a printer, a digital video camera, a digital still camera, a

TV monitor, a low resolution LCD screen, TV (column 21, lines 15-50).

Claim 15:

The claim 15 encompasses the same scope of invention as that of claim 1 except

additional claimed limitation of the first node being connected to a first input device and the

second node being connected to a second input device; the first and the second input devices being

each capable of modifying an associated image object.

However, Yokomizo further discloses the claimed limitation of the first node being

connected to a first input device and the second node being connected to a second input device;

the first and the second input devices being each capable of modifying an associated image object

(figures 1-11; column 8, lines 45-55; column 4, lines 20-25).

Claims 16-25:

The claim 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 encompasses the same scope of invention

as that of claim 1, 2, 3, 4, 5, 6, 7, 8, 9 10 except additional claimed limitation of an apparatus.

However, Yokomizo further discloses the claimed limitation of an apparatus (e.g., figures 1-11).

4.      Claims 11-12 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Yokomizo U.S. Patent No. 6,522,418 (hereinafter Yokomizo) in view of Phillips U.S. Patent No.

6,215,485 (hereinafter Phillips).

5.      Claim 11:

(1) The claim 11 encompasses the same scope of invention as that of claim 1 except

additional claimed limitation of wirelessly transmitting the image object and the associated state

information file to the second node from the first node.

(2) Yokomizo teaches all the claimed limitation of claim 1 as noted in above. However, it is not clear whether Yokomizo discloses the claimed limitation of wirelessly transmitting the image object and the associated state information file to the second node from the first node.

(3) Phiilips teaches the claimed limitation of wirelessly transmitting the image object and the associated state information file to the second node from the first node (Phillips column 23, lines 25-40).

(4) It would have been obvious to one of ordinary skill in the art to have incorporated the Phillips's wireless transmission technique into the Yokomizo's image processing method because Yokomizo suggests interconnection between the first node and the second node and a communication link between them through dial-up lines such as ISDN (column 5, lines 15-25) and therefore suggesting an obvious modification because a dial-up line between a client and a server can be achieved by a wireless transmission.

(5) One having the ordinary skill in the art would have been motivated to do this because it would have provided an image modification via wireless communication link such that the proxy image can be modified, scripted and the script can be sent via communication link where it may be transferred to the second for application to the original high-resolution digital image file.

Claim 12:

The claim 12 encompasses the same scope of invention as that of claim 11 except additional claimed limitation of the first node being coupled to the second node by way of a server node that directs the transmitting.

However, Yokomizo further discloses the claimed limitation of the first node being coupled to the second node by way of a server node that directs the transmitting (figure 9; column 21, lines 10-30).

Claims 26-27:

The claim 26, 27 encompasses the same scope of invention as that of claim 11, 12 except additional claimed limitation of an apparatus. However, Yokomizo further discloses the claimed limitation of an apparatus (figures 1-11).

Claim 28:

The claim 28 encompasses the same scope of invention as that of claim 4 except additional claimed limitation that some user selected portion of the at least one external edit list elements being not displayed in the appropriately rasterized image object. However, Yokomizo further discloses the claimed limitation that some user selected portion of the at least one external edit list elements (such as layouts or positions of slots) being not displayed in the appropriately rasterized image object (e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 29:

The claim 29 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that some user selected portion of the at least one external edit list elements being not displayed in the appropriately rasterized image object. However, Yokomizo further discloses the claimed limitation that some user selected portion of the at least one external edit list elements (such as layouts or positions of slots) being not displayed in the appropriately

rasterized image object (e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 30:

The claim 30 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the at least one external edit list elements being a multimedia asset. However, Yokomizo further discloses the claimed limitation of the at least one external edit list elements being a multimedia asset (such as image files and clip arts; see e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 31:

The claim 31 encompasses the same scope of invention as that of claim 30 except additional claimed limitation of the multimedia asset being selected from a digitized group comprising still images, video images, and vector artwork. However, Yokomizo further discloses the claimed limitation of the multimedia asset being selected from a digitized group comprising still images, video images, and vector artwork (such as image files and clip arts; see e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 32:

The claim 32 encompasses the same scope of invention as that of claim 19 except additional claimed limitation that some user selected portion of the at least one external edit list elements being not displayed in the appropriately rasterized image object. However, Yokomizo further discloses the claimed limitation that some user selected portion of the at least one external edit list elements (such as layouts or positions of slots) being not displayed in the appropriately

rasterized image object (e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 33:

The claim 33 encompasses the same scope of invention as that of claim 20 except additional claimed limitation that some user selected portion of the at least one external edit list elements being not displayed in the appropriately rasterized image object. However, Yokomizo further discloses the claimed limitation that some user selected portion of the at least one external edit list elements (such as layouts or positions of slots) being not displayed in the appropriately rasterized image object (e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 34:

The claim 34 encompasses the same scope of invention as that of claim 20 except additional claimed limitation of the at least one external edit list elements being a multimedia asset. However, Yokomizo further discloses the claimed limitation of the at least one external edit list elements being a multimedia asset (such as image files and clip art; see e.g., column 19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

Claim 35:

The claim 35 encompasses the same scope of invention as that of claim 34 except additional claimed limitation of the multimedia asset being selected from a digitized group comprising still images, video images, and vector artwork. However, Yokomizo further discloses the claimed limitation of the multimedia asset being selected from a digitized group comprising

still images, video images, and vector artwork (such as image files and clip arts; see e.g., column

19, lines 14-67; column 20, lines 3-63; column 22, lines 30-50).

### *Remarks*

6.    Applicant's arguments, filed 10/14/2003, paper number 7, have been fully considered but

they are not deemed to be persuasive.

7.    Applicant argues in essence with respect to claim 1 and similar claims that:

"In contrast, claims 1 and 16 have been amended to explicitly require, 'associating a state

information file to the image object whereby the state information file comprises an edit

list having an embedded edit list and an external edit list wherein the external edit list

comprises links to a plurality of multimedia assets that may be embedded in the resulting

image object.' Thus, the state information file in the present claim now requires at least

two distinct elements – an embedded edit list, and an external edit list each having

distinct functionality as indicated in the Specification and further, in the body of the

claims. For example, the embedded edit list identifies operations to be directly applied to

the digital negative while the external edit list identifies a variety of external sources that

are linked to the digital negative. As such, Applicants submit that Yokomizo does not

describe the elements as required by the present claim."

This is not found persuasive because Yokomizo discloses associating a state information file (in

the form of the script file for the editorial results; column 12, lines 50-67) to the image object

(e.g., the low-resolution image or the high-resolution image) whereby the state information file

comprises an edit list (such as the editorial information) having an embedded edit list (e.g., the

Java applet incorporating the image files and templates and clip arts residing on the client's end)

and an external edit list (e.g., the Java applet having an editorial information for downloading the

image files, templates and clip arts from the server's end through the CGI Interface) wherein the

external edit list (such as editorial information) comprises links to a plurality of multimedia

assets (the image files, templates and clip arts on the server's end) that may be embedded in the

resulting image object.

Therefore, Yokomizo fulfills the amended claim 1 as currently drafted.


8.      In Remarks, page 11, Applicant argues in essence with respect to claim 11-12 and similar

claims that:

> "However, neither Yokomizo nor Phillips describes an external edit list 'wherein the
>
> external edit list comprises links to a plurality of multimedia assets that may be
>
> embedded in the resulting image object,' which is a required element of independent
>
> claims 1 and 16 upon which the present claims depend."

This is not found persuasive because Yokomizo discloses associating a state information file (in

the form of the script file for the editorial results; column 12, lines 50-67) to the image object

(e.g., the low-resolution image or the high-resolution image) whereby the state information file

comprises an edit list (such as the editorial information) having an embedded edit list (e.g., the

Java applet incorporating the image files and templates and clip arts residing on the client's end)

and an external edit list (e.g., the Java applet having an editorial information for downloading the

image files, templates and clip arts from the server's end through the CGI Interface) wherein the

external edit list (such as editorial information) comprises links to a plurality of multimedia

assets (the image files, templates and clip arts on the server's end) that may be embedded in the

resulting image object (e.g., through rasterization).


*Conclusion*

9.    **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

10.    Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213.

The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the

organization where this application or proceeding is assigned are (703) 308-6606 for regular

communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 395-3900.

jcw
November 19, 2003
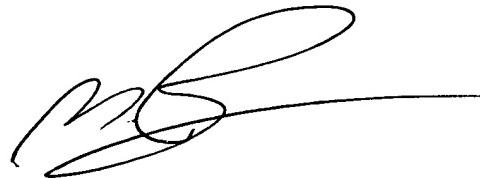
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